MARINE POWER & EQUIPMENT CO. INC.

February 26, 1988

Mr. Richard Koch
Washington State Department of Ecology
4350 - 150th Avenue N.E.
Redmond, WA 98052-5301

RE: TERMS OF CONSENT DECREE

Dear Richard:

After talking to Jack Fox, U.S. Attorney's Office; Lee Rees, Washington State Department of Ecology; Monica Kirk, and Grover Partee, EPA, I have been unable to get a more official determination of our contact person for purposes of carrying out the provisions of the consent decree which was entered by the Court on February 1, 1988. Until I hear differently, I will assume that you are the designated contact. Incidentally, I'd like to take this opportunity to put in my "vote" for this designation to be made official because of your long-standing relationship and familiarity with our shipyard.

As I explained on the telephone on Tuesday, we are in the process of taking core samples to determine the extent of sandblast sand at our Lake Union facility to satisfy the first provision of the Consent Decree which requires that a core sample study be undertaken and completed within the first 30 days after the entry of the order. I have enclosed a copy of our first three results in order to give you an idea how these reports will eventually look. In addition to the written report, the lab will also be providing photographs of the sediment core samples. As you can see, we are simultaneously analyzing the samples for content as required by the second provision of the Decree. As I reported, it is clear that these reports will not be completed by March 2, the day they would be due under the Consent Decree.

We have engaged divers from the Northwest Divers Institute to obtain the samples. They are in the process of completing the dives and will have taken approximately 30-35 core samples for analysis. They are using the sample study done by Mike Matta of the E.P.A. as a jumping-off point for taking the samples and are also taking samples from underneath the dry docks as well as from around the perimeter. As you can see from the report, the samples are then being analyzed by GeoEngineers Incorporated. We hope to have the diving completed shortly.

We therefore request that you confirm an extension of the deadline until April 1, 1988, the second Decree deadline. This request does not delay the cleanup process because the first two steps are being completed simultaneously. By a copy of this letter to the U.S. Attorney's Office, the E.P.A., and the Attorney General's Office, I am also requesting that these agencies designate an official contact person. It is surely more efficient to have only one person / one agency receive and evaluate the reports, rather than copies going to multiple persons/agencies; it is our experience that considerable delays and confusion are engendered when agencies are all giving the shipyard conflicting directions. As I stated above, we hope that you will be designated to perform this function. I know you're rolling your eyes and thinking about the extra work this will cause you, but you do have the best knowledge of this shipyard, as well as shipyards in general in the Northwest.

Thank you for your assistance and cooperation.

Sincerely yours,

MARINE POWER & EQUIPMENT CO., INC.

Ruth Nelson
General Counsel

RN:jf
Enc. 2
cc Jack Fox
Lee Rees
Grover Partee

SOIL CLASSIFICATION SYSTEM

MAJOR DIVISIONS			GROUP SYMBOL	GROUP NAME
COARSE GRAINED SOILS MORE THAN 50% RETAINED ON NO. 200 SIEVE	GRAVEL MORE THAN 50% OF COARSE FRACTION RETAINED ON NO. 4 SIEVE	CLEAN GRAVEL	GW	WELL-GRADED GRAVEL, FINE TO COARSE GRAVEL
			GP	POORLY-GRADED GRAVEL
		GRAVEL WITH FINES	GM	SILTY GRAVEL
			GC	CLAYEY GRAVEL
	SAND MORE THAN 50% OF COARSE FRACTION PASSES NO. 4 SIEVE	CLEAN SAND	SW	WELL-GRADED SAND, FINE TO COARSE SAND
			SP	POORLY-GRADED SAND
		SAND WITH FINES	SM	SILTY SAND
			SC	CLAYEY SAND
FINE GRAINED SOILS MORE THAN 50% PASSES NO. 200 SIEVE	SILT AND CLAY LIQUID LIMIT LESS THAN 50	INORGANIC	ML	SILT
			CL	CLAY
		ORGANIC	OL	ORGANIC SILT, ORGANIC CLAY
	SILT AND CLAY LIQUID LIMIT 50 OR MORE	INORGANIC	MH	SILT OF HIGH PLASTICITY, ELASTIC SILT
			CH	CLAY OF HIGH PLASTICITY, FAT CLAY
		ORGANIC	OH	ORGANIC CLAY, ORGANIC SILT
HIGHLY ORGANIC SOILS			PT	PEAT

NOTES:

1. Field classification is based on visual examination of soil in general accordance with ASTM D2488-83.
2. Soil classification using laboratory tests is based on ASTM D2487-83.
3. Descriptions of soil density or consistency are based on interpretation of blowcount data, visual appearance of soils, and/or test data.

SOIL MOISTURE MODIFIERS:

Dry - Absence of moisture, dusty, dry to the touch

Moist - Damp, but no visible water

Wet - Visible free water or saturated, usually soil is obtained from below water table

GeoEngineers Incorporated

SOIL CLASSIFICATION SYSTEM

FIGURE 1

LOG OF SEDIMENT CORE

DEPTH BELOW MUDLINE (FEET)	GROUP SOIL CLASSIFICATION SYMBOL	DESCRIPTION
		SEDIMENT CORE 1-A
0 - 1.1	ML	GREENISH-BROWN SILT WITH CLAY AND INCLUSIONS OF BLACK MEDIUM SAND (SANDBLASTING MATERIAL) (VERY SOFT, WET)
1.1 - 2.0	SP	BLACK MEDIUM SAND WITH SILT (SANDBLASTING MATERIAL) (LOOSE, WET)
2.0 - 2.3	ML	GREENISH-GRAY SILT WITH CLAY AND A TRACE OF BLACK MEDIUM SAND (SANDBLASTING MATERIAL) (SOFT, WET) PIECE OF BRICK AT 2.1 FEET
2.3 - 2.4	ML	BROWN SILT (SOFT, WET)
		SEDIMENT CORE COMPLETED AT 2.4 FEET
		0.6-FEET HEADSPACE IN SAMPLE TUBE
		SEDIMENT SAMPLE SPLIT FROM 0 TO 1.1 FEET AND FROM 1.1 TO 2.4 FEET
		SEDIMENT CORE 2-A
0 - 0.4	ML	GREENISH-GRAY TO BLACK SILT WITH CLAY AND WITH BLACK MEDIUM SAND (SANDBLASTING MATERIAL) (VERY SOFT, WET)
0.4 - 0.6	ML	GREENISH-GRAY TO BLACK SILT WITH CLAY AND WITH BLACK MEDIUM SAND (SANDBLASTING MATERIAL) (SOFT, WET)
0.6 - 1.0	ML	LIGHT GRAY SILT (SOFT, WET)
1.0 - 1.2	ML	BROWN SILT (SOFT, WET)
		SEDIMENT CORE COMPLETED AT 1.2 FEET
		1.85-FEET HEADSPACE IN SAMPLE TUBE
		SEDIMENT SAMPLE SPLIT FROM 0 TO 0.6 FEET AND FROM 0.6 TO 1.2 FEET
		SEDIMENT CORE 3-A
0 - 0.5	ML	BLACK SILT WITH BLACK MEDIUM SAND (SANDBLASTING MATERIAL) (VERY SOFT, WET)
0.5 - 0.7	ML	LIGHT GRAY SILT WITH A TRACE OF ORGANIC MATTER (SOFT, WET)
0.7 - 0.9	ML	BROWN SILT (SOFT, WET)
		SEDIMENT CORE COMPLETED AT 0.9 FEET
		2.1 FEET HEADSPACE IN SAMPLE TUBE
		SEDIMENT SAMPLE SPLIT FROM 0 TO 0.5 FEET AND FROM 0.5 TO 0.9 FEET

2/24/88

SEW/rn/cs